



State of Wisconsin Governor's Committee for People with Disabilities

**Quarterly Meeting Minutes
Thursday, December 8, 2016
9:00 AM to 3:30 PM
Crowne Plaza Hotel
4402 East Washington Ave.
Madison, WI 53704**

AS AMENDED AND APPROVED ON March 8, 2017.

Action Items and Motion Items:

A. Action Items:

- 1. Action Item:** Committee members are to review the updated Committee Member Roster distributed at the meeting. Any corrections should be submitted to Dan Johnson with the Department of Health Services (DHS).
- 2. Action Item:** Update the June and September Quarterly Meeting Minutes to reflect the amendments to the minutes as passed at this meeting. See Motion Items 2-5.
- 3. Action Item:** A copy of Mr. Lamb's letter will be distributed to all Committee members via email by DHS staff and kept on file for the Committee at the Bureau of Aging and Disability Resources, which currently provides staff support to the Committee.
- 4. Action Item:** Nancy Leipzig, with DHS staff support, will send a letter to the Governor and Lieutenant Governor's Office asking whether the Committee is subject to Mandatory Reporting, attach the letter received from Mr. Lamb, and ask how the Committee is to respond to letters such as the one it received now and in the future.
- 5. Action Item:** John Olson will convene a meeting of the ad-hoc by-laws workgroup to review the Committee's by-laws. John Olson will work with DHS staff on setting up the meeting so appropriate public notice of the meeting can be sent out.
- 6. Action Item:** The by-laws workgroup will report to the full Committee on recommended changes to the by-laws by February 1, 2017.
- 7. Action Item:** GCPD appointed an ad-hoc workgroup to work on State Use Contracts. Members of this workgroup include: Maureen Ryan, Sarah Lincoln, Ramsey Lee, and Dan Idzikowski.

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B. Motion Items:

- 1. Motion Item:** Sandy Popp made a motion to amend the meeting agenda to include both the June and September Quarterly Meeting Minutes for review and approval by the Committee and to add a nominating committee to the Next Meeting Dates and Review of Action Items section of the Agenda. John Olson seconded the motion. Motion carried.
- 2. Motion Item:** Sandy Popp made a motion to correct the September Quarterly Meeting Minutes, on page 9, changing the words subminimum wage license requirement to 14 c license requirement. John Hartman seconded the motion. Motion carried.
- 3. Motion Item:** John Olson made a motion to correct the September Quarterly Meeting Minutes, on page 3, under the Youth Leadership bullet 2: changing the State of Washington to State of California: changing leadership skills with children to leadership skills with high school students; remove including John; change the number of years established in Wisconsin from sixteen to nineteen years; change John Shaw to Patrick Young. Ben Barrett seconded the motion. Motion carried.
- 4. Motion Item:** Ben Barrett made a motion to approve the September Quarterly Meeting Minutes with the amendments made. John Olson seconded the motion. Motion carried.
- 5. Motion Item:** John Olson made a motion to approve the amended June Quarterly Meeting Minutes with one correction recommended by Sandy Popp to correct the spelling of the Chairperson Leipzig's last name. Ben Barrett seconded the motion. Motion carried.
- 6. Motion Item:** A motion was made by Ramsey Lee to draft a letter of support for the Department of Corrections (DOC) and Badger State Industries to receive \$150,000 for the biennium to provide staff supervision to inmates working in the wheelchair recycling program, as presented to the Committee by Lee Schulz. The support letter will be sent to the following: Governor; Lieutenant Governor; state legislators; Department of Health Services (DHS); Department of Natural Resources (DNR); and DOC. Motion was seconded by Ben Barrett. Motion carried.
- 7. Motion Item:** Maureen Ryan moved that Chairperson Nancy Leipzig on behalf of the Committee send a letter to the Governor's and Lieutenant Governor's Office on how to address Mr. Lamb's letter to the Committee and similar letters in the future. Motion was seconded by Sandy Popp. Motion carried.
- 8. Motion Item:** A motion was made by Maureen Ryan to adjourn the meeting. Denise Johnson seconded the motion. Motion carried.

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C. Meeting Minutes

I. Welcome and Introductions by Nancy Leipzig, Chairperson

GCPD Members Present: Ben Barrett; John Hartman; Dan Idzikowski; Denise Johnson; Ramsey Lee; Nancy Leipzig; David Morstad; John Olson; Sandy Popp; Maureen Ryan; Douglass Tikkanen (via teleconference); and Patricia Williams (via teleconference).

GCPD Liaisons Present: Eva Kubinski, Wisconsin Department of Public Instruction; and Sarah Lincoln, Wisconsin Division of Vocational Rehabilitation.

GCPD Staff Support Present: Micki Hill, Division of Health Services (DHS), Bureau of Aging and Disability Resources (BADR); Dan Johnson, DHS, BADR (via teleconference); Maria Kielma, Interpreter; Gary Roth, DHS, Information Technology; Lisa Sobczyk, DHS, BADR; and Chantelle Weidmeyer, Interpreter.

Guests: Danielle Dale, MTM, Inc.; Tamara Jackson, Board for People with Disabilities; Tip Pom, , DHS, Division of Health Care Access and Accessibility (DHCAA); Kurt Roskopf (via teleconference); Tasha Schuh; Lee Schulz, IndependenceFirst; and David Stepien, DHS, DHCAA.

II. Meeting called to order 09:07 am by Chairperson Nancy Leipzig.

The meeting was available via in-person attendance or online via Skype for Business, the professional meetings and communications application formerly known as Lync. GCPD members and guests were also able to join by phone by calling (608) 316-9000 (Madison) (Plus Conference ID: 6569038) or Toll-Free at 844-341-6887.

III. Review and Approval of Agenda

- Chairperson Nancy Leipzig noted that she tried to make the agenda more structured to make the meeting more efficient.
- Chairperson Leipzig called for approval of the agenda.
- Sandy Popp made a motion to amend the meeting agenda to include both the June and September Quarterly Meeting Minutes for review and approval by the Committee and to add a nominating committee to the Next Meeting Dates and Review of Action Items section of the Agenda. John Olson seconded the motion. Motion carried. See Motion Item 1 listed above.

IV. Review and Approval of Minutes

- Sandy Popp made a motion to correct the September Quarterly Meeting Minutes, on page 9, changing the words subminimum wage license requirement to 14 c license requirement. John Hartman seconded the motion. Motion carried. See Motion Item 2 listed above.

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- John Olson made a motion to correct the September Quarterly Meeting Minutes, on page 3, under the Youth Leadership bullet 2: changing the State of Washington to State of California; changing leadership skills with children to leadership skills with high school students; remove including John; change the number of years established in Wisconsin from sixteen to nineteen years; change John Shaw to Patrick Young. Ben Barrett seconded the motion. Motion carried. See Motion Item 3 listed above.
- Ben Barrett made a motion to approve the September Quarterly Meeting Minutes with the amendments made. John Olson seconded the motion. Motion carried. See Motion Item 4 listed above.
- John Olson made a motion to approve the amended June Quarterly Meeting Minutes with one correction recommended by Sandy Popp to correct the spelling of the Chairperson of the Governor's Committee's last name. Ben Barrett seconded the motion. Motion carried. See Motion Item 5 listed above.

V. GCPD Committee Member Roster

An updated copy of the Committee Member Roster was distributed for review. Any corrections should be submitted to Dan Johnson with the Department of Health Services (DHS). See Action Item 1.

VI. Public Comment

Chairperson Nancy Leipzig asked if there were public comments. Chairperson Leipzig recognized Lee Schulz, President & CEO with *IndependenceFirst* located in Milwaukee, Wisconsin.

A. Lee Schulz

- Lee Schulz described Wisconsin's ATA program and specifically presented information on the *IndependenceFirst* mobility stores, and the Department of Corrections (DOC) wheelchair recycling program, which provides wheelchairs to the mobility stores. A handout was distributed to Committee members about *IndependenceFirst* Mobility Stores and DOC relationship.
- Lee Schulz explained that the DOC used \$50,000 a year, for a total of \$100,000 a biennium, to supervise inmates who are working in the wheelchair recycling program; these monies were previously used for DOC to supervise inmates who worked in the computer recycling program. DOC no longer operates the computer recycling program. The budget line item was not updated to reflect this change in purpose and that the funds were now used to supervise inmates working in the wheelchair recycling program. Therefore this line item was left out of the state budget last biennium.
- Lee Schulz presented a budget initiative to the Committee, for the upcoming legislative session, which would add a line item to the DOC budget for staff supervision of inmates for the wheelchair recycling program in the amount of \$75,000 a year, for a total of \$150,000 for the biennium. Lee asked that the Committee support this budget initiative.

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- GCPD members and Lee participated in general discussion of Badger State Industries as the agent who provides this service through the Red Granite Correctional Center.
- Maureen Ryan asked if the Department of Corrections has this line item in their budget.
- John Olson, GCPD member also noted support of Badger State Industries.
- A motion was made by Ramsey Lee to draft a letter of support for the Department of Corrections (DOC) and Badger State Industries to receive \$150,000 for the biennium to provide staff supervision to inmates working in the wheelchair recycling program, as presented to the Committee by Lee Schulz. The support letter will be sent to the following: Governor; Lieutenant Governor; state legislators; Department of Health Services (DHS); Department of Natural Resources (DNR); and DOC. Motion was seconded by Ben Barrett. Motion carried. See Motion Item 6 listed above.

B. Chairperson Nancy Leipzig read a letter received by the Committee from Mr. Lamb, an inmate at Milwaukee County Jail

- Nancy Leipzig read aloud from a letter received by the Committee at the DHS office on November 10, 2016 to Committee members. The letter alleges racial discrimination, abuse, lack of treatment, and Medicaid fraud occurring at the prison.
- Discussion was had about how the Committee should respond to the letter and if the Committee is subject to Mandatory Reporting.
- Chairperson Leipzig noted that the GCPD should write a letter to acknowledge receipt of Mr. Lamb's correspondence. Chairperson Leipzig also directed DHS staff to scan and forward the letter to the Committee members for review. See Action Item 2, listed above.
- General discussion included:
 - Should the information in the letter be given to Dan Idzikowski of Disability Rights Wisconsin for follow-up;
 - Milwaukee County Jail having a number of issues at the jail, including investigations of abuse and death; and
 - The role of the Office of Inspector General and reporting of information in the letter to investigate alleged Medicaid fraud.
- Nancy Leipzig, with DHS staff support, will send a letter to the Governor and Lieutenant Governor's Office asking whether the Committee is subject to Mandatory Reporting, attach the letter received from Mr. Lamb, and ask how the Committee is to respond to letters such as the one it received now and in the future. See Action Item 4 listed above.

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- Maureen Ryan moved that Chairperson Nancy Leipzig on behalf of the Committee send a letter to the Governor's and Lieutenant Governor's Office on how to address Mr. Lamb's letter to the Committee and similar letters in the future. Motion was seconded by Sandy Popp. Motion carried. See Motion Item 7 listed above.
- Once the Committee receives a response from the Governor's or Lieutenant Governor's office it will decide on the whether it is appropriate to send a response letter to Mr. Lamb.
- It was recommended by Committee members that if the Committee chooses to send a response letter acknowledging receipt of correspondence that the Committee should not forward this letter onto organizations or agencies directly that could assist Mr. Lamb. Due to confidentiality and to protect his privacy it was decided if a response letter is sent, the Committee will include information for Disability Rights Wisconsin and the Office of Inspector General with the recommendation that Mr. Lamb contact these organizations/agencies directly for assistance with the issues raised in his letter.

VII. Review of GCPD By-Laws

- John Olson gave an overview of the GCPD bylaws and stated that the by-laws were created in 1977 and last amended on December 14, 2004.
- John Olson specifically stated that there was a need to update the purpose of the Governor's Committee for People with Disabilities as it only reflects employment outcomes as the Committee was originally created to address employment for persons with disabilities. John recommended the GCPD appoint an ad-hoc workgroup to review the by-laws, bringing back any changes, recommendations, and items for discussion by the Committee.
- Discussion followed about some recommended changes to the by-laws by the Committee.
- Maureen Ryan stated items 2 and 5 under Article 2, Purpose, should be kept as they are inclusive.
- John Hartman recommended that the purpose should reflect and be inclusive of all disabilities and reflective of needs across a lifespan. Therefore, purpose needs to address the systems and spectrum of what keeps persons with disabilities from employment, such as transportation as examples.
- Doug Tikkanen noted that when this committee was formed, unemployment for persons with disabilities was more than 70%. Now it is less than 70% however a key question is how the GCPD has had an impact on unemployment for people with disabilities as there are still many individuals with disabilities who want to work but are unable to.

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- Dan Johnson commented that the GCPD has worked and continues to work on the Medicaid Purchase Plan (MAPP) and this has allowed made employment possible for some persons with disabilities.
 - Discussion was also had regarding the composition of the Governor's Committee for People with Disabilities.
 - General discussion included:
 - Definition of disability and members of the Committee self-identifying their disability;
 - Maureen Ryan stated that applicants for the Governor's Committee for People with Disabilities are asked to disclose disability information.
 - Dave Morstad inquired about the percentage of Executive Committee Members that are required to have a disability. He further inquired if it would be conceivable to have a Committee of individuals without any disabilities.
 - Chairperson Nancy Leipzig formally appointed an ad-hoc workgroup to review the Committee's by-laws and to report on recommended changes to the Committee by February 1, 2017. Ad-hoc workgroup was appointed by consensus. The ad-hoc workgroup includes: John Olson; Ramsey Lee; Maureen Ryan; and Doug Tikkanen. See Action Item 6 listed above.
 - John Olson will convene a meeting of the ad-hoc workgroup to review the Committee's by-laws. John Olson will work with DHS staff on setting up the meeting so appropriate public notice of the meeting can be sent out. See Action Item 5 listed above.

VIII. State Use Contract Work Updates, by Tamara Jackson, Board for People with Developmental Disabilities (BPDD)

Tamara Jackson, BPDD, provided a PowerPoint presentation on the State Use Contract.

She also referred GCPD members to the State Use web site:

<http://stateuseprogram.wi.gov>.

- Department of Administration houses the State Use Contractor List.
- The State Use Program is a procurement program and lists items and services for state agencies to procure.
- State Use Contracts are restricted to only businesses or individuals that have a 14 c license and meet 14 c requirements. Those are generally Community Rehab Programs (CRPs or sheltered workshops) or sub-minimum wage employers.

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- Ramsey Lee inquired about the State Use Program be contradictory to fully integrated employment philosophy. Tamara agreed and said several things have occurred that is making it important to re-examine the State Use program including:
 - Home and Community Based Services (HCBS) rules;
 - Olmstead Decision; and
 - Workforce Innovation Opportunity Act (WIOA) regulations.
- Tamara Jackson stated in the 2013-2015 bill it was recommended that State Use Contracts should not only be available to this limited list of contractors but instead should remove the 14 c requirement and open State Use Contracts to anyone receiving State Use Funds and paying minimum wage.
- Sarah Lincoln with DVR says this would not address the blind vendor/job issue that needs to be addressed.
- Doug Tikkanen also stated that agencies who met 14 c requirements and have a license but are paying above minimum wage or that are blind vendors do not have any preference under the current State Use purchasing system.
- Tamara Jackson stated that they would like to get this contracts opened up to more employers paying higher wages.
- GCPD appointed an ad-hoc workgroup to work on State Use Contracts. Members of this workgroup include: Maureen Ryan, Sarah Lincoln, Ramsey Lee, and Dan Idzikowski.

IX. Medicaid Purchase Plan (MAPP) Updates, by Sandy Popp

- Sandy Popp stated the MAPP ad-hoc workgroup will not meet again until the Governor has made his budget recommendations to the state legislature.
- Sandy stated that GCPD wants to make sure both in-kind and high-wage earners can have access to in-home services. Sandy also stated that benefit specialists want earned/unearned income to remain the same.
- Maureen Ryan inquired about who would verify and help people file taxes. The GCPD participated in general discussion regarding verification and assistance in filing.
- Sandy stated there is a need to support these individual consumers with tax filing as some have never filed a tax return, as tax validation documentation is now needed by DHS for in-kind or bartering of services. There is a tax code for bartering of up to \$400. Additionally, there is also a tax on bartering of \$400 of approximately \$60.

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X. DVR and WIOA Update, by Sarah Lincoln, Division of Vocational Rehabilitation (DVR)

Sarah Lincoln provided a PowerPoint Presentation on the Workforce Innovative and Opportunities Act (WIOA).

- DVR is having regional 2017 Technical specifications training on WIOA across the state in December.
- DVR is in the process of updating all policies to the letter of the law under WIOA.
- Employer effectiveness regulations are vague on how to measure employer effectiveness. States could choose from five outcomes. Wisconsin has chosen two of the five outcomes, one of which is how many times the consumer is a repeat DVR consumer. State is hoping for more guidance from the federal government in the future after initial outcomes from states are reported to the federal government.
- Sarah provided an overview of Project Search and DVR/DHS/DPI roles with program. Sarah stated they are developing provider relationships and working in collaboration with providers. DVR hopes to have 20 new Project Search sites.
- Denise Johnson inquired what the criteria are for youth to be involved at a project site. Sarah responded that a student has to have a disability, has completed a functional screen, and the student has to be enrolled in DVR services.
- Maureen Ryan said a list of pre-vocation providers is needed so local service providers can connect with them for referrals. Sarah Lincoln said this list does not exist.

XI. Chairperson Nancy Leipzig presented Michael J Falconer Award to Tasha Schuh

Tasha is a role model for all having overcome challenges as a result of a traumatic spinal cord injury at age 16 during a theater performance. She is a motivational speaker and travels the country speaking and sharing her story of overcoming tragedy and living a life of purpose. She is also an author and wrote, "My Last Step Backward," about her accident. She is now writing a book about her experiences in dating and marriage. Tasha is the founder of the PITCrew and is establishing her own 501(C)3. The GCPD presented her with the Michael J. Faulkner Distinguished Service Award at this meeting.

XII. Non-Emergency Medical Transportation Presentation (NEMT), by Dave Stepien and Tip Pom, DHS/Division of Healthcare Access and Accountability (DHCAA), and Danielle Dale, MTM, Inc.

Dave and Tip provided a PowerPoint Presentation.

- Non-Emergency Medical Transportation (NEMT) is a public transportation program and shared ride service available in the state of Wisconsin.
- NEMT provides urgent trips, but not emergency trips. For example, hospital discharges are considered urgent; non-urgent is defined as transportation which needs to occur within a three hour window.

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- There are 900,000 individuals in the state of Wisconsin potentially eligible for the NEMT program.
- 300,000 rides are provided per month. Of those rides,
 - 25,000-30,000 are categorized as “unique consumers”;
 - 60% are cabs;
 - 30% are provided through gas mileage reimbursement;
 - 10% required specialty medical transport; and
 - 10% are bus passes.
- Monthly data reports on rides, complaints, etc. are published on the web site.
- Sandy Popp commented that Independent Living Centers (ILCs) consumers who have to make NEMT appointments via phone use a lot of cell phone minutes as they have to answer all scripted questions. Whereas if a consumer goes online to request NEMT ride the web site will auto populate with the consumers previous information. Is there a way the telephone system can do this?
- Danielle Dale, MTM, Inc. responded that the telephone database system does not have a way to auto populate the consumer's information; therefore they encourage consumers to make multiple appointments at once if possible. Also Danielle said to continue to encourage consumers to request rides online.
- Dave Stepien with DHS also replied that the call script has been reviewed for efficiency and content necessary to complete the transport.
- Danielle Dale with MTM replied that the health conditions can change and that is part of the reason for asking scripted questions.
- Sandy Popp then responded that the online system should then also ask these questions.
- Ramsey Lee cited a case in which a consumer did not get a ride from NEMT for a needed appointment. DHS and MTM staff will follow-up on this report with the consumer directly.
- Dave Morstad commented consumers don't want to talk to MTM when they have a complaint. DHS staff acknowledged this concern; however, they encourage consumers to discuss complaints with MTM. However, DHS, DHAA can also investigate complaints if consumers do not want to contact MTM.
- Tip Pom with DHS discussed his role in the complaints process and that as DHS staff he is in the field, conducting site visits. Tip said there are quality and performance improvement processes are in place that address:
 - Quality of drivers/providers;
 - Credentialing of drivers/providers;
 - Drug testing of drivers; and
 - Follow-up on consumer complaints.

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- DHS conducted an audit of the NEMT program. As of August 2016, DHS data showed the program had become 99.9% complaint free for the 300,000 completed trips a month in 2016.
- DHS has eliminated the permanent status for NEMT. Therefore, a consumer will need renew their need for transportation with the state every 3 to 5 years. MTM will call consumers when need justification is expiring and will fax renewal forms for NEMT program directly to the physician for the consumer.

XIII. Updates from Council Representatives

- **Department of Public Instruction (DPI), Eva Kubinski**
 - A letter was sent out in September to special education directors and district assessment coordinators about education standards. These standards are aligned with our Wisconsin Model Academic Standards (formerly called the common core). The essential elements again alternate achievements and academic standards in the areas of literacy, mathematics, and science. The purpose of these standards is to provide a less complex series of instruction for students with significant cognitive disabilities. Although Wisconsin does not have that category in our state, we have intellectual disabilities. But not all children with intellectual disabilities have a significant cognitive disability. For example, a student with a other health impairment like a stroke or meningitis is not considered to have a traumatic brain injury even if they have an acquired brain injury, that is considered other health impairment.
 - Wisconsin has developed the dynamic learning map assessment which is an alternate assessment aligned with alternate academic achievement standards. This test is given to a very small percentage of students.
 - DPI had the 1% rule that said up to 1% of those students that took the alternate assessment and scored proficient or advanced could count towards the school district accountability. Every now with the Every Student Succeeds Act from December 2015, DPI is now limited and only 1% of all students can take the alternative assessment.
 - Alternative achievement standards are significantly less complex than the regular achievement standards. In Wisconsin, if you are in the alternative track, you can still get a regular diploma. There probably are some students who were taking the alternate achievement assessment, kids with speech and language, as their primary disability and should not have been. As a result these children are being placed in regular curriculum not and it is too hard for them. We are hoping this will cause instruction to be modified. Remember this is one test out of everything a student does and we want to make sure the content instruction is similar to what their peers are getting so they can be a part of that conversation.

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- Denise Johnson commented about deaf pupils are in regular classrooms, taking standard assessments; however, testing for these pupils should be signed or captioned.
- Eva responded that she is aware of this and thinks that these assessments should be verbal because of the language disfluencies so these students have a better chance of passing the test. DPI has received this feedback from outreach folks, schools, and those who want to make these accommodations.
- **Statutory Council on Blindness (SCOB), Douglas Tikkanen**
 - **Meeting next week for this quarter.**
 - **SCOB is focusing on transportation and wants to work with** Department of Transportation (DOT) in three area:
 - Biopic vehicle option;
 - Automated vehicle; and
 - Potential for DOT/DHS universal identification card for discounted services for disabled throughout the state, so if you're using paratransit in one county you don't have to get a card from each county.
 - The other recommendation/area SCOB is focusing on is to add disability owned business to the preferred option for contract selection within the state or other contract areas.
- **Council for Deaf and Hard of Hearing, Denise Johnson:**
 - Denise Johnson provided updates regarding the Wisconsin Association of Deaf is moving forward with some community members being opposed and others being in support of the idea.
 - Council meeting is tomorrow and they are going to discuss removing sign language interpreter licensure from 2010 law.

XIV. 2017 GCPD Meeting Dates

The GCPD meets the 2nd Thursday of each month. The next meeting is going to be a one and a half day meeting in March. These 2017 meeting dates are as follows:

- March 8, 2017 Wednesday, 10:00 am – 4:30 pm;
- March 9, 2017 Thursday, 9:00 am – 1:00 pm;
- June 8, 2017 Thursday, 9:00 am – 3:30 pm;
- September 14, 2017 Thursday, 9:00 am – 3:30 pm; and
- December 14, 2017 Thursday, 9:00 am – 3:30 pm.

XV. Adjourn:

Motion was made by Maureen Ryan to adjourn the meeting. Denise Johnson seconded the motion. Motion carried. Meeting was adjourned at 4:18 pm by Chairperson Leipzig. See Motion Item 8 as noted above.